

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re:		:	Case No. 19-12294
		:	
ANTHONY J. BARTOLOMEO,		:	Chapter 7
		:	
Debtor.		:	
-----X		:	
Crescent Electric Supply Company, Inc. of		:	
New York,		:	
Plaintiff,		:	Adv. Pro. No. 19-01328 (SCC)
		:	
-against-		:	
		:	
ANTHONY J. BARTOLOMEO,		:	
		:	
Defendant.:		:	
-----X		:	

**STIPULATION AND ORDER**

WHEREAS, Adversary Plaintiff Crescent Electric Supply Company, Inc. of New York (the “Plaintiff”), has commenced the above-captioned adversary proceeding against Debtor Anthony J. Bartolomeo (the “Defendant”) by complaint dated July 30, 2019; and

WHEREAS, pursuant to stipulation, Defendant filed a motion to dismiss the complaint pursuant to, *inter alia*, Fed.R.Civ.P. Rule 12(b)(6) as incorporated by Fed.R.Bankr.P. 7012 (the Motion to Dismiss”) which was returnable on January 16, 2020;

WHEREAS, the Plaintiff seeks to amend the adversary complaint pursuant to Fed.R.Civ.P. Rule 15 as incorporated by Fed.R.Bankr.P. 7015;

NOW, THEREFORE, it is stipulated and agreed by and between counsel for the Plaintiff and Defendant:

1. Plaintiff’s time to file an amended complaint (the “Amended Complaint”) is extended

- on consent of Defendant pursuant to Fed.R.Civ.P. Rule 15(a)(2) as incorporated by Fed.R.Bankr.P. Rule 7015 to April 30, 2020;
2. Defendant's Motion to Dismiss is withdrawn without prejudice to the filing of a similar motion with respect to the Amended Complaint. Nothing herein shall be construed as to create a default in pleading pursuant to Fed.R.Civ.P. Rule 55 as made applicable to Fed.R.Bankr.P. Rule 7055.
3. The Pre-Trial Conference in this matter is adjourned from April 21, 2020 to June 23, 2020 at 11:00 a.m.

Dated: Brooklyn, New York  
March 5, 2020

Korsinsky & Klein, LLP  
Attorneys for Plaintiff CRESCENT  
ELECTRIC SUPPLY COMPANY, INC. OF  
NEW YORK

\_\_\_\_\_/s/ Marc Illish \_\_\_\_\_  
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Dated: White Plains, New York  
March 5, 2020

Rattet PLLC  
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SO ORDERED: March 9, 2020

/S/ Shelley C. Chapman  
HON. SHELLEY C. CHAPMAN  
U.S. BANKRUPTCY JUDGE